

PATENT  
674543-2001.5IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Walker et al.  
 Serial No. : 10/081,787  
 Filed : February 22, 2002  
 For : REGULATION OF INTRACELLULAR  
       GLUCOCORTICOID CONCENTRATION  
 Examiner : Shobha Kantamneni  
 Group Art Unit : 1617

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Angela M. Collison  
 Signature  
 April 4, 2006  
 Date of Signature

TERMINAL DISCLAIMER

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

This paper is being filed in response to the Office Action mailed June 6, 2005 which, *inter alia*, rejected claims 14-19 under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claim 15 of USSN 10/061,044 and claims 14-19 of USSN 10/080,875.

This Terminal Disclaimer serves to obviate the rejections of the present application and place the application in condition for allowance.

Reconsideration and withdrawal of the double patenting rejections is respectfully requested in view of this Terminal Disclaimer, the recordal of which is also respectfully

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requested. The Commissioner is hereby authorized to charge \$130.00 in payment of the fee therefor, and any additional required fee, or to credit any overpayment in fees, to Deposit Account No. 50-0320.

A Terminal Disclaimer as to U.S. Application Serial No. 10/061,044 and to U.S. Application Serial No. 10/080,875 is herewith provided as follows:

I, Thomas J. Kowalski, declare that I am the attorney of record and that I am authorized to execute terminal disclaimers on behalf of The University of Edinburgh, the assignee of the above-captioned application ("the present application") and U.S. Application Serial Nos. 10/061,044 ("the '044 application") and 10/080,875 ("the '875 application");

That The University of Edinburgh has a place of business at Old College, South Bridge, Edinburgh EH8 9YL, England;

That The University of Edinburgh is the assignee of the entire right, title and interest in, to and under U.S. Patent Application Serial No. 10/081,787, filed February 22, 2002 (the present application), by virtue of the assignments from the inventors as set out at Reel 015355 and Frame 0737, where said assignment was recorded at the U.S. Patent and Trademark Office on May 19, 2004;

That The University of Edinburgh is the assignee of the entire right, title and interest in, to and under U.S. Patent Application Serial No. 10/061,044, filed January 30, 2002, now U.S. Patent No. 6,946,487, by virtue of the assignment from the inventors as set out at Reel 015355 and Frame 0737, where said assignment was recorded at the U.S. Patent and Trademark Office on May 19, 2004;

That The University of Edinburgh is the assignee of the entire right, title and interest in, to and under U.S. Patent Application Serial No. 10/080,875, filed February 22, 2002, by virtue of the assignments from the inventors as set out at Reel 015355 and Frame 0737, where said assignment was recorded at the U.S. Patent and Trademark Office on May 19, 2004;

That The University of Edinburgh hereby disclaims the terminal part of any patent granted on the present application which would extend beyond the expiration date of the full statutory term of any patents granted from the '044 and '875 applications;

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That The University of Edinburgh hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patents granted from the '044 and '875 applications, this agreement to run with any patent granted on the present application and to be binding upon the grantee, its successors or assigns;

That no terminal part of any patent granted on the present application is disclaimed prior to the full statutory term of any patents granted from the '044 and '875 applications, in the event that any patents granted from the '044 and '875 applications earlier expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. §1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its full statutory term, except for the separation of legal title stated above;

In accordance with 37 C.F.R. § 3.73(b), the undersigned attorney of record, empowered to sign this Statement on behalf of the assignee, states that The University of Edinburgh is the assignees of the entire right, title and interest in the patent applications identified above (the present application and the '044 and '875 applications) by virtue of the assignments identified above.

And thus, that the undersigned has reviewed documents in the chain of title of the patent applications identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

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Reconsideration and withdrawal of the double patenting rejection, consideration and entry of this paper and recordal of this Terminal Disclaimer, and reconsideration and withdrawal of the rejection of the June 6, 2005 Office Action, and prompt issuance of a Notice of Allowance, are all respectfully requested; with any fee therefor or any overpayment in such fees, to be charged or credited to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

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